THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

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WRIT PETITION NO : 2774 of 2004

Dated: 06-09-2005

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Between:

Dr. Mohammed Mohiuddin.

..... PETITIONER

AND

The State of A.P., represented by its Prl. Secretary to Revenue Department, Secretariat, Hyderabad and others.

..Respondents.

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 2774 of 2004

ORDER:

This writ petition has been filed by the petitioner with a prayer to issue a writ,

direction or order, more particularly one in the nature of writ of certiorari calling for the records in C.C.No. E2/5377/76 and quash the same.

2. When the writ petition came up for hearing, the learned Government Pleader for Revenue brought to the notice of this Court that the petitioner filed an appeal questioning the order passed in C.C.No.E2/5377/76 and the appellate authority has disposed of the appeal by an order dated 26-04-2005.

3. The learned counsel for the petitioner submits that despite the order being passed by the appellate authority still the writ petition is maintainable.

4. A copy of the order passed by the appellate authority in the appeal filed u/s 33 of the U.L.(C & R) Act 1976 against the orders u/s 8(4) dated 31-10-1986, final statement U/s 9, notification u/s 10(1), declaration u/s 10(3) and notice u/s 10(5) of the U.L.(C&R) Act, 1976 in C.C.No.E2/5377/76 has been placed on record. When the competent authority has disposed of the appeal, the only option left to the petitioner is to question the order passed by the appellate authority before the appropriate forum.

5. Giving liberty to the petitioner to question the order passed by the appellate authority, if so advised, this writ petition is disposed of. No order as to costs.

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06-09-2005

sj